

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:09-CT-3171-FL

GAY EUGENE BLANKENSHIP,)
)
Plaintiff,)
)
v.) ORDER
)
DARRELL RANDOLPH,)
)
Defendant.)

This matter came before the court on plaintiff's motion to challenge the defendant's answer or statement of claim (DE # 13) and motion for a copy of the Federal Rules of Civil Procedure (DE # 16). These matters are ripe for adjudication.

Plaintiff requests that this court deny all of the requests and statements made by defendant in his answer. The court construes plaintiff's motion as a motion to strike defendant's answer pursuant to Federal Rule of Civil Procedure 12(f). Rule 12(f) states: "The court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter." The court finds that plaintiff has not made a sufficient showing that defendant's answer alleged an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter. Thus, plaintiff's motion is denied.

Plaintiff also requests that this court provide him with a copy of the Federal Rules of Civil Procedure. The Federal Rules of Civil Procedure is published by West Publishing and not the court.

Thus, the court is not able to provide plaintiff a copy of the Federal Rules of Civil Procedure, and plaintiff's motion is denied.

In summary, plaintiff's motion to challenge the defendant's answer or statement of claim (DE # 13) and motion for a copy of the Federal Rules of Civil Procedure (DE # 16) are DENIED.

SO ORDERED, this 10 day of August, 2010.



LOUISE W. FLANAGAN
Chief United States District Judge